

Remarks/Arguments

This Amendment is in response to the Office Action mailed June 13, 2006. Claims 29, 31, 33-36, 38 and 50-53 remain pending.

Applicant's arguments in the prior amendment were found persuasive over the cited art. Applicant appreciates this indication regarding the merits of Applicant's position. However, new grounds for rejection have now been advanced.

Claims 29 and 50 have been amended to recite that the light pipes are molded in place with the foam layer and that the foam layer extends between said light pipes. Applicant directs the Examiner's attention to page 10, lines 13-14 and Fig. 6 which illustrates that the foam layer 806 extends between the light pipes. Accordingly, no new matter has been entered.

Claims 29, 31, 33, 36, and 50-53 are now rejected under 35 U.S.C. 103(a) as being unpatentable over Kluser (US 6,755,561) in view of Tillman, Sr. (US 5,971,761).

Independent claim 29 recites that the invention amounts to an automotive trim panel comprising a light transmissive cover layer, a plurality of light pipes each having a first and second end, and a light source. One end of each light pipe is positioned adjacent the light source and other end is positioned adjacent the rear surface of the cover layer. The cover layer includes a foam layer and the light pipes are molded in place in the foam layer and the foam extends between the light pipes. See also, independent claim 50.

In contrast, Kluser, '561, appears to be directed at an extruded elastomeric mat for overlying an electronic circuit board containing an LED, wherein columns 537 of the transparent or translucent mat material extend from the mat to transmit light from the LED 510. In addition, it is clear that Kluser teaches the need for an opaque elastomeric material 540 that does not extend between the columns 537. In that sense, Kluser teaches one skilled in the art to utilize an

opaque elastomeric material 540 as what appears to be an isolated column feature in the elastomeric mat.

Kluser therefore failed to recognize that a completely different and more dynamic approach would be sufficient to reliably locate light pipes behind a light transmissive surface, and that is, as recited in amended independent claims 29 and 50, the use of foam molded in place with the light pipes and extending between the light pipes. It is therefore respectfully submitted that the claims as amended recite a feature for which Kluser is completely silent, and which one may observe as being opposite to Kluser's teachings. That is, looking again at Kluser's FIG. 5, it is clear that Kluser teaches that the preformed elastomeric material 540 should not extend between the columns 537.

It is not believed that any of the secondary references make up for the deficiencies of Kluser, and for the reasons noted above, it is believed that the outstanding rejection under 35 USC 103 has now been fully considered and traversed.

Specifically, Tillman, '761 appears to be directed at a baby mat comprising a top layer having a plurality of spaced-apart light transmitting zones, a printed circuit board and a soft resilient filler material therebetween. The zones may be backed by a compartment formed by projections **15** and holding a diffuser **16**, light source **17** and a variety of electrical components. The reference does not teach or suggest "a light transmissive cover layer having a front surface and a rear surface, a plurality of light pipes each having a first end and a second end, and a light source, wherein said first end of each of said light pipes is positioned **adjacent to said rear surface of the cover layer** and each of said second ends are positioned adjacent said light source wherein the cover layer further includes a foam layer, wherein said plurality of light pipes are **molded in place in the foam layer**." Tillman employs separate transmitting zones of flexible

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plastic that are recessed. Neither Tillman or Kluser employ light pipes to transmit the light from the light source, and further, do not teach light pipes positioned adjacent the rear surface of the cover layer as the cover layer does not appear to extend across the light source 17 (see FIG. 2).

Claims 34-35 and 37-38 are rejected under 35 U.S.C. 103(a) as being unpatentable over Kluser and Tillman and further in view of Nicholls et al. (U.S. Pat. No. 6,672,749). However, Nicholls et al. '749 does not appear available as a reference as its filing date of April 25, 2001 is after the priority date of the present application, which priority date is January 31, 2001 (U.S. Appl. No. 09/773,840, now U.S. Pat. No. 6,652,128).

In consideration of the amendments to the claims and the remarks hereinabove, Applicant respectfully submits that all claims currently pending in the application are believed to be in condition for allowance. Allowance at an early date is respectfully solicited.

In the event the Examiner deems personal contact is necessary, please contact the undersigned attorney at (603) 668-6560.

In the event there are any fee deficiencies or additional fees are payable, please charge them (or credit any overpayment) to our Deposit Account No. 50-2121.

Respectfully submitted,

/steven j Grossman/

Steven J. Grossman
Attorney for Applicant
Reg. No. 35,001
Grossman, Tucker, Perreault & Pfleger, PLLC
55 South Commercial Street
Manchester, NH 03101
Tel.: (603) 668-6560